

MAR 30 2007

Application No. 10/507,405
After Final Office Action of January 30, 2007

Docket No.: 209546-84419

REMARKS

Claims 4-5 are pending in this application. Claims 1-3 were previously cancelled. By this amendment, claim 4 is amended. No claims have been added. Favorable reconsideration is respectfully requested in light of the foregoing amendments and the following remarks.

35 U.S.C. § 102(b)

The Office action rejected claims 4-5 under 35 U.S.C. §102(b) over Werth (DE 3510336) ("Werth"). In light of the following remarks, the rejection is respectfully traversed.

Werth's (translated) specification states that "(the hose) *can (be) lead straight-lined to the pipe union and is variable in (an) axial direction, so that it can be pushed easily over the pipe unions and lengths of differences is balancable*" (see Appendix A at page 2, first full paragraph). In addition, Applicant respectfully submits that Werth's (translated) specification teaches the following: "(a)t the profile part of 1 two hoses 4, 5, which have in each case a bellows range 6, 7, are directly angeformt, so that they are lengthen variable" (see Appendix A at page 2, last full paragraph).

Even in view of the above-identified explicit difference between the claimed invention and the prior art, Applicant has amended claim 4 to further clarify the claimed subject matter of the present invention. Specifically, claim 4 has been amended to recite "a compact state, wherein the pillar air duct is in a substantially parallel relationship with respect to the headliner air duct, and an extended state, wherein the pillar air duct is in a substantially non-parallel relationship with respect to the headliner air duct."

Accordingly, Werth does not disclose, teach or suggest the invention as claimed. By contrast, Werth's alleged 'flexible portion' only permits lengthwise extension of the hoses 4, 5 at the bellows 6, 7 to join the hoses 4, 5 to a heater housing 10 to make up for a gap or spacing between the end of the hoses, 4, 4 and the housing 10. Thus, at best, Werth only provides a teaching or suggestion for axially extending the duct lengthwise (i.e. perpendicularly) relative the headliner duct. Thus, it is respectfully submitted that Werth does not anticipate the invention, as claimed.

For at least the above reasons, the § 102(b) anticipation rejection is believed to be overcome with respect to claim 4. Claim 5 depends from claim 4 and includes allowable subject matter. In view of the foregoing, Applicant therefore respectfully requests the withdrawal of the foregoing rejections and believes the pending application is in condition for allowance.

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Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-3145, under Order No. 209546-84419 from which the undersigned is authorized to draw.

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Respectfully submitted,

By 

Thomas L. Appledorn

Registration No.: 59,348

HONIGMAN MILLER SCHWARTZ AND
COHN LLP

38500 Woodward Avenue

Suite 100

Bloomfield Hills, Michigan 48304-5048

(248) 566-8522

Attorney for Applicant